

COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

53.

MA 4496/2025 in OA 2219/2021

Sub (LMN) Manoranjan Pradhan (Retd) ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate  
For Respondents : Mr. V Pattabhi Ram, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE LT. GEN. C. P. MOHANTY, MEMBER (A)

ORDER  
13.02.2026

MA 4496/2025

This application has been filed seeking implementation of the order dated 25.03.2025 passed by this Tribunal in O.A. No. 2219/2021. While allowing the OA this Tribunal, in paragraph 25 of the order, issued specific directions, which read as under:

*“25. Accordingly, we allow this OA and direct that the applicant’s case for promotion to the rank of Sub Maj be reconsidered. The matter should be placed before the competent authority and subsequently before the appropriate Departmental Promotion Committee (DPC). The DPC shall reconsider the applicant’s case retrospectively, as it existed on 27/28 October 2020. In doing so, the DPC should take note of all applicable policies and circulars or evolve an appropriate principle that aligns with the requirements of the law. The DPC should assess the applicant’s case, treating him as though he has earned five ACRs in the cadre of JCO, and evaluate his case in accordance with the relevant policies.*”

Further in paragraph 26, it was further directed that in the event the applicant is found fit for promotion, he shall be granted

retrospective promotion, though without any consequential monetary benefits. Today, when the matter relating to implementation came up for consideration, the respondents have placed on record an implementation report issued by the Signal Records Office. In paragraphs 2, 3 and 4 of the said communication, the relevant aspects of reconsideration have been indicated. They are reproduced below:

*"2 It is intimated that OA No. 2219/2021 filed by JC-384370F Ex Sub Manoranjan Pradhan Vs UOI and others in the Hon'ble AFT (PB), New Delhi which was allowed in favour of the petitioner vide the Hon'ble AFT order dated 25 Mar 2025 recd vide letter mentioned at para 1.1 above.*

*3. Accordingly, as per Govt Sanction Letter, a Shadow Departmental Promotion committee (DPC) for the year 2020 fro prom to the rank of Sub Maj in r/o JC-384370F Ex Sub Manoranjan Pradhan was conducted at Signals Records Ioc on 14 Jan 2026 in which weightage of five ACRs (2015,2017,2018,2019 & 2020) was considered and the same has been approved by the Competent Auth on 21 Jan 2026. As per outcome of the Shadow DPC conducted on 14 Jan 2026, the petitioner has not been approved for promotion to the rank of Sub Maj being low in merit.*


*4. Further the petitioner was drawn in Panel for grant of Hony Commission on active list for the occasion of Independence Day-2020 (Two Chance) and Republic Day-2021 (Last Chance). The JCO was declared UNFIT for the grant of Hony Commission by Board of Offrs for both occasion as the ACR criteria of the JCO was not fulfilled.*

From the averments made in paragraph 3, as extracted hereinabove, it is evident that the case of the applicant was reconsidered after granting due weightage to his Confidential Reports. However, the applicant was not recommended for promotion on account of the low merit assessed by the Departmental Promotion Board, which convened on 14.01.2026.

2. In view of the above, nothing further survives in the present application. However, if the applicant is aggrieved by the manner of reconsideration or the decision denying him substantive rank promotion to the rank of Subedar Major and grant of Ordinary Commission, it shall be open to him to challenge the same in accordance with law. With the aforesaid liberty, the MA stands disposed of.

3. A copy of the reasons indicated hereinabove shall be furnished to Shri Manoj Gupta and on that basis, liberty shall remain available to the applicant to assail the action afresh in accordance with law.

  
[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

  
[LT. GEN. C.P. MOHANTY]  
MEMBER (A)

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